

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE
2004 JUN -8 P 3:35

DATE: 6-09-04

HCB

INTAC INTERNATIONAL, INC.,)
Plaintiff)
v.)
A CORP d/b/a ROOTERMAN and)
DONALD MACDONALD,)
Defendants)

U.S. DISTRICT COURT
DISTRICT OF MASS.

CIVIL ACTION NO.
04-10040 REK

AFFIDAVIT OF DONALD F. MACDONALD

Pursuant to Fed. R. Civ. P. 56 (c), the undersigned, Donald F. MacDonald, the president and CEO of A Corp d/b/a Rooterman, under oath and personal knowledge, states that: as the president and CEO of A Corp, I have devoted myself to company's management business development rather than its day to day operation. In such capacity, I am thoroughly familiar with the Wintac licensing agreements I signed on behalf of A Corp. Additionally, I have read the Statement of Undisputed Facts and hereby assure and verify the truth and accuracy of such Statement and the facts stated therein to the best of my knowledge.

Signed under pains and penalties of perjury.


Date: June 7, 2004.


Donald F. MacDonald

CERTIFICATE OF SERVICE

I certify that a true copy of the above document was served by ^{hand}~~mail~~ upon the attorney of record for Plaintiff on the date set forth below.

Date: June 7, 2004


William H. McCarter, Jr.